

COMBINED DECLARATION AND POWER OF ATTORNEY

Rec'd PCT/PTO 01 OCT 2004

10/510032

(ORIGINAL DESIGN, NATIONAL STAGE OF PCT OR CIP APPLICATION)

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Assembly comprising a stabiliser and an instrument to be positioned in or around a passage surrounded by body tissue

the specification of which: (complete (a), (b) or (c) for type of application)

REGULAR OR DESIGN APPLICATION

a. [] is attached hereto.
b. [] was filed on _____ as Application
Serial No. _____ and was amended on _____
(if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

c. [X] was described and claimed in International application No. PCT/NL03/00246
filed on 2 April 2003
and as amended on _____ (if any)

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, paragraph 1.56(a).

In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code paragraph 119 of any foreign application (s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent of inventor's certificate having a filing date before that of the application on which priority is claimed.



d. [] no such applications have been filed
 e. [X] such applications have been filed as follows

10/510032

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
 (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

| Country | Application Number | Date of filing (day, month, year) | Date of Issue (day, month, year) | Priority claimed |
|-----------------|--------------------|--------------------------------------|-------------------------------------|------------------|
| The Netherlands | 1020288 | 2 April 2002 | | Yes |
| | | | | |
| | | | | |

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
 (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

CONTINUATION-IN-PART

(Complete this part only if this is a continuation-in-part application)

I hereby declare claim the benefit under Title 35, United States code, paragraph 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, paragraph 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, paragraph 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing date) (Status) (patented, pending, abandoned)

(Application Serial No.) (Filing date) (Status) (patented, pending, abandoned)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Robert J. PATCH, Reg. No. 17,355, Andrew J. PATCH, Reg. No. 32,925, Robert F. HARGEST, Reg. No. 25,590, Benoît CASTEL, Reg. No. 35,041, Eric Jensen, Reg. No. 37,855, and Thomas W. PERKINS, Reg. No. 33,027 and Roland E. Long, Jr. Reg. No. 41,949 c/o YOUNG & THOMPSON, Second Floor, 745 South 23rd Street, Arlington, Virginia 22202.

Address all telephone calls to Young & Thompson at 703/521-2297.

Rec'd PTO 04 OCT 2004
10/510032

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: BERREKLOUW, Eric

Inventor's signature



Date 3 September 2004

Country of Citizenship: The Netherlands

Residence: SON, The Netherlands



Post Office Address: Ardennenlaan 13, NL-5691 JN SON, The Netherlands

CHECK PROPER BOX(ES) FOR ANY ADDED PAGE(S) FORMING A PART OF THIS DECLARATION